

EXHIBIT B

Transcript of Ashok Pai
Conducted on March 26, 2018

1 (1 to 4)

1	3
<p>IN THE UNITED STATES DISTRICT COURT</p> <p>OR THE EASTERN DISTRICT OF VIRGINIA</p> <p>ALEXANDRIA DIVISION</p> <p style="text-align: center;">x</p> <p>UNITED STATES EQUAL : EMPLOYMENT OPPORTUNITY : COMMISSION, :</p> <p>Plaintiff, :</p> <p>v. : Case No.</p> <p>CAMBER CORPORATION, : : 7cv 084 (AJT/J A)</p> <p>Defendant. :</p> <p style="text-align: center;">x</p> <p>Videotaped Deposition of ASHOK PAI</p> <p>McLean, Virginia</p> <p>Monday, March 26, 2018</p> <p>9:33 a.m.</p> <p>Job No. 7932</p> <p>Pages 34</p> <p>Reported by: Karen Young</p>	<p style="text-align: center;">A P P E A R A N C E S</p> <p>ON BEHALF OF PLAINTIFF:</p> <p>JEFFREY A. STERN, ESQUIRE</p> <p>U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION</p> <p>Cleveland Field Office</p> <p>AJC Federal Building #300</p> <p>240 East Ninth Street</p> <p>Cleveland, Ohio 44199</p> <p>(216) 522-7458</p> <p>ON BEHALF OF CAMBER CORPORATION:</p> <p>ROBERT L. ORTBALS, JR., ESQUIRE</p> <p>CONSTANGY, BROOKS, SMITH & PROPHETE LLP</p> <p>7733 Forsyth Boulevard</p> <p>Suite 325</p> <p>St. Louis, Missouri 63105</p> <p>(314) 925-7270</p> <p>ALSO PRESENT:</p> <p>Jeff Bauer, Esq., Huntington Ingalls</p> <p>Joe Donahoe, Videographer</p>
2	4
<p>Videotaped Deposition of ASHOK PAI, held at</p> <p>the offices of:</p> <p>PLANET DEPOS</p> <p>8270 Greensboro Drive</p> <p>Suite 0</p> <p>McLean, Virginia 22102</p> <p>(888) 433-3767</p> <p>Pursuant to notice, before Karen Young,</p> <p>Notary Public of the Commonwealth of Virginia</p>	<p style="text-align: center;">C O N T E N T S</p> <p>EXAMINATION OF ASHOK PAI PAGE</p> <p>By Mr. Ortvals..... 8</p>

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5	7
1 EXHIBITS	1 PROCEEDINGS
2 (Attached to Transcript)	2 THE VIDEOGRAPHER: Here begins Disk
3 Exhibit 1 Fahrenheit, Schedule A..... 89	3 Number 1 in the videotaped deposition of Ashok Pai
4 Exhibit 2 Time Review..... 90	4 in the matter of the United States Equal
5 Exhibit 3 Peevy e-mail to Williams, 3/14/14 108	5 Opportunity Commission verse Camber Corporation in
6 Exhibit 4 Performance Improvement Plan..... 122	6 the United States in District Court for the Eastern
7 Exhibit 5 Acknowledgement..... 137	7 District of Virginia, Alexandria Division, Case
8 Exhibit 6 Pai e-mail to Khalil, 9/18/14.... 150	8 Number 1:17cv1084. Today's date is March 26th,
9 Exhibit 7 Thompson e-mail to Khalil, 9/8/14 193	9 2018, and the time on the video monitor is
10 Exhibit 8 Thompson e-mail to Pai, 9/19/14.. 219	10 approximately 9:33 a.m. The videographer for today
11 Exhibit 9 Martin e-mail to Whitten, 9/17/15 230	11 is Joe Donahoe, representing Planet Depos, and this
12 Exhibit 10 Certification of Health Care	12 videotaped deposition is taking place at 8270
13 Provider, PAI002318 - PAI002321..... 234	13 Greensboro Drive, McLean, Virginia. Would counsel
14 Exhibit 11 Certification of Health Care	14 please voice-identify themselves and state who they
15 Provider, PAI002323 - PAI002326..... 235	15 are representing?
16 Exhibit 12 Myatt e-mail to Khalil, 10/1/14.. 244	16 MR. ORTBALS: Robert Ortvals for
17 Exhibit 13 Thompson e-mail to Whitten,	17 defendant Camber.
18 10/27/14..... 247	18 MR. STERN: Jeffrey Stern for plaintiff,
19 Exhibit 14 Paige letter to Pai, 10/17/14.... 248	19 United States Equal Employment Opportunity
20 Exhibit 15 Pai letter to EEOC Los Angeles,	20 Commission.
21 7/31/15..... 272	21 THE VIDEOGRAPHER: The court reporter
22 Exhibit 16 Pai letter to EEOC Washington	22 today is Karen Young, representing Planet Depos.
6	8
1 D.C., 8/5/15..... 273	Would the court reporter please swear in the
2 Exhibit 17 Charge of Discrimination..... 280	2 witness?
3 Exhibit 18 Dismissal and Notice of Rights... 281	3 ASHOK PAI,
4 Exhibit 19 Pai e-mail to Francavilla,	4 having been duly sworn, testified as follows:
5 2/29/16..... 281	5 EXAMINATION BY COUNSEL FOR CAMBER CORPORATION
6 Exhibit 20 Pai e-mail to Francavilla, 4/7/16 289	6
7 Exhibit 21 Pai e-mail to Francavilla,	7 BY MR ORTBALS:
8 4/10/16..... 289	8 Q Could you state your name please?
9 Exhibit 22 Resume..... 294	9 A Ashok Pai.
10	0 Q Mr Pai, have you had your deposition
11	taken before?
12	12 A No.
13	3 Q My name's Bob Ortvals I am an attorney
14	4 representing Camber Corporation in the lawsuit that
15	5 the EEOC has filed against it on your behalf Do
16	6 you understand that?
17	17 A Yes.
18	8 Q I'm going to go through kind of how
19	9 things are going to work and some of the ground
20	20 rules here today, particularly since you haven't
21	21 had your deposition taken before I don't want you
22	22 to be misled by the fact that we're kind of in an

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8 (29 to 32)

29	<p>1 And so -- so you know, we -- we have to</p> <p>2 take him frequently to skilled care and stuff like</p> <p>3 that, and he's there for some periods of time, but</p> <p>4 he's very -- he's very healthy though. He's hardly</p> <p>5 been hospitalized, and the one major</p> <p>6 hospitalization was at the time where I requested</p> <p>7 FMLA, and he was actually fighting for his life at</p> <p>8 the time because he had aspiration pneumonia and he</p> <p>9 was in the hospital for several weeks, and that was</p> <p>10 the time I got terminated too, so --</p> <p>11 Q So your wife is the person in your</p> <p>12 household who takes care of your son?</p> <p>13 A Right, but she does have assistance time</p> <p>14 to time, and she also, like I said, if there any --</p> <p>15 any kind of complication or treatment, because he</p> <p>16 needs various kinds of treatments on a regular</p> <p>17 basis so he's taken to these facilities, and so he</p> <p>18 actually has a second home in a sense, a skilled</p> <p>19 care facility.</p> <p>20 Q And then there'll be what, personal care</p> <p>21 attendants that come to the household if --</p> <p>22 A Yeah, yeah, generally, yeah, but my wife</p>	3
30	<p>1 takes most of the care, but yeah, personal care</p> <p>2 attendants do come time to time, yeah, because his</p> <p>3 care is pretty standardized, so it's very</p> <p>4 standardized, because -- you know, change diapers</p> <p>5 twice or day or so and things of that nature. He's</p> <p>6 fed through a tube, stomach tube, so there's no</p> <p>7 feeding issues, so medications also put through the</p> <p>8 tube, so --</p> <p>9 Q Have you gone by any other names other</p> <p>10 than Ashok Pai?</p> <p>11 A I have a middle name, Kochikar, which is</p> <p>12 a family name. So Pai is my last name, Kochikar is</p> <p>13 my family name, because, you know, we basically go</p> <p>14 family name, so that is passed on from father to</p> <p>15 son. Last name is Pai, yeah. Not changed my name</p> <p>16 at all, yeah. I haven't changed my name. It has</p> <p>17 always been -- although I should have probably</p> <p>18 because I confuse people like hell with my name,</p> <p>19 but my name has always been Ashok Kochikar Pai.</p> <p>20 Q How do you spell your family name?</p> <p>21 A What say?</p> <p>22 Q How do you spell your family name?</p>	32
	<p>1 A K-O-C-H-I-K-A-R.</p> <p>2 Q What's your wife's name?</p> <p>3 A Her original name is Manorama, and she</p> <p>4 goes by Manorama Pai Kochikar, because I also was</p> <p>5 Ashok Pai Kochikar in India, but after we came to</p> <p>6 U.S., I made K my middle initial so I became Ashok</p> <p>7 Kochikar Pai, but otherwise people call me Kochikar</p> <p>8 and people will be confused with my last name,</p> <p>9 which was my last name. So I made it Ashok</p> <p>10 Kochikar Pai, A -- Ashok K. Pai, but my wife has</p> <p>11 typically kept it as K. Manorama Pai, which is</p> <p>12 actually the way it's kept in India, Kochikar</p> <p>13 Manorama Pai, or she sometimes goes by Manorama Pai</p> <p>14 Kochikar, but she's smart. She also adopted the</p> <p>15 name Anita, so she also goes by Anita Pai.</p> <p>16 Q And how do you spell -- is it Manorama?</p> <p>17 A Yeah, M-A-N-O-R-A-M-A.</p> <p>18 Q Have you had any other marriages other</p> <p>19 than your current one?</p> <p>20 A No. Yeah, we've been married for 44</p> <p>21 years. Forty-four and a half.</p> <p>22 Q And your birth date is July 17th, 1949?</p>	

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33	<p>1 many of the books, many of the professors were all</p> <p>2 from Germany.</p> <p>3 In fact, the library was mostly stocked</p> <p>4 with German book, so I speak fluent German. I can</p> <p>5 speak fluent German and read and write German, and</p> <p>6 actually, we had to write papers in German and all</p> <p>7 that too, and many of the professors didn't even</p> <p>8 understand English properly, so if you had to pass,</p> <p>9 we had to know German.</p> <p>10 So that was German -- the other IITs, one</p> <p>11 is Russian, the Bombay's Russian. It's called IIT,</p> <p>12 Indian Institute of Technology. So five of them</p> <p>13 were established just after independence in India,</p> <p>14 independence in 1947. So after that, five IITs are</p> <p>15 established, each by collaboration from one major</p> <p>16 country, you know.</p> <p>17 So Madras IIT, which I attended for two</p> <p>18 years and got my master's in technology, that was</p> <p>19 by Germany, and then Bombay IIT was Russia. Kampur</p> <p>20 was England, Britain. Delhi -- I'm sorry, Delhi</p> <p>21 was Britain. Kampur was the U.S. Kharagpur was a</p> <p>22 joint collaboration of several countries. So there</p>	35	<p>1 obviously requires training, never stops. So I've</p> <p>2 had a lot of training in that area, in that whole</p> <p>3 field, and mostly in cyber security. I have the</p> <p>4 CISSP certification, and that is complete -- all</p> <p>5 over the world is recognized as the top</p> <p>6 certification in cyber security. It's called</p> <p>7 CISSP, Certified Information Systems Security</p> <p>8 Professional. So that is generally -- generally</p> <p>9 recognized all over the world as the top, and it's</p> <p>10 a very tough certification, and I have that, which</p> <p>11 required several months of training.</p> <p>12 And then I have several Microsoft</p> <p>13 certifications because I worked at Microsoft for a</p> <p>14 while, so I have several Microsoft certifications</p> <p>15 in the I.T. area, mainly in SharePoint, which was</p> <p>16 my main specialty. Also in Dot Net certification,</p> <p>17 SharePoint SQL server, solutions, solution</p> <p>18 architect type training, and I was a senior</p> <p>19 consultant at Microsoft, a senior consultant.</p> <p>20 Q Any other I.T. certifications you hold?</p> <p>21 A Yeah, I hold some others. I've forgotten</p> <p>22 them some extent. Yeah, the Microsoft, I worked at</p>
34	<p>1 are five IITs.</p> <p>2 So I was -- I was in the Madras IIT,</p> <p>3 which we used to lovingly call it concentration</p> <p>4 camp because it was the toughest IIT of all. It</p> <p>5 was German, so the German system was very, very</p> <p>6 tough with very few -- a lot of hours, lot of</p> <p>7 additional hours and work needed compared to the</p> <p>8 other IITs. So I was able to survive that, which</p> <p>9 we lovingly called concentration camp, and then we</p> <p>10 -- I got the degree and master's, master of</p> <p>11 technology.</p> <p>12 Q Have you had any schooling in the United</p> <p>13 States?</p> <p>14 A Yes, I did my MBA in finance and banking.</p> <p>15 Q Where was that at?</p> <p>16 A Wright State University in Dayton, Ohio.</p> <p>17 Q When did you graduate with your MBA?</p> <p>18 A 1981, December. I got my degree in '82.</p> <p>19 Q Have you had any other formal education</p> <p>20 or training since your MBA?</p> <p>21 A I've had a lot of training because I'm</p> <p>22 I.T., I'm in information technology, which</p>	36	<p>1 four certifications with Microsoft. I have a few</p> <p>2 others which I don't use very much. I'm trying to</p> <p>3 remember what they are, but yeah, the main one is</p> <p>4 CISSP, my proudest achievement I think in</p> <p>5 certifications, and then the Microsoft</p> <p>6 certifications. I can't think of anything offhand</p> <p>7 right now, yeah.</p> <p>8 The SharePoint and Dot Net has been my</p> <p>9 main area of work, you know, and cyber -- now cyber</p> <p>10 security. My current job in cyber security with</p> <p>11 some SharePoint and some Dot Net, but prior to that</p> <p>12 even, because I got my CISSP in 2002. So since</p> <p>13 2002, because I have the certification, one of the</p> <p>14 -- one of the problems I got as soon as I got the</p> <p>15 certification was that at that time, cyber security</p> <p>16 was not considerably important in 2002. I did that</p> <p>17 certification because -- in 2002, because of 9/11.</p> <p>18 So when 9/11 happened in 2001, I thought the next</p> <p>19 war is going to be cyber war, you know. And not</p> <p>20 only that, all these people are gunning for us, so</p> <p>21 I do this -- my job for my country, you know?</p> <p>22 Q Have you ever --</p>

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17 (65 to 68)

65	<p>1 yes. Like I said, even when I went to him the</p> <p>2 September 8th, he was very supportive, but he asked</p> <p>3 me to write this letter, and I just wrote it</p> <p>4 exactly as he wanted me to, the little -- little</p> <p>5 e-mail that I had that he asked me to write, but</p> <p>6 that was the one that was construed as a</p> <p>7 resignation later because it had the October 31st</p> <p>8 date and all that, so unfortunately, so you know --</p> <p>9 Q In the summer 2014 conversation where you</p> <p>10 disclosed your son's disability to Atif, what did</p> <p>11 you -- what did you tell him about his condition?</p> <p>12 A What did I tell him?</p> <p>13 Q What did you tell Atif about your son's</p> <p>14 condition?</p> <p>15 A Oh, that he's disabled, yeah, yeah, that</p> <p>16 he's disabled, that he's unable to talk and all</p> <p>17 that. Now, Atif had a baby somewhere about that</p> <p>18 time, so I don't know if that was in connection</p> <p>19 there. I don't remember, yeah, but it's -- I did</p> <p>20 tell him that he's totally disabled and he is</p> <p>21 nonverbal and all that, yeah.</p> <p>22 Q What did Atif say in response?</p>	67	<p>1 presentation that all the benefits will be better</p> <p>2 than Avaya, and that everything that Avaya promised</p> <p>3 will be carried out, that kind of thing, you know.</p> <p>4 So unfortunately the benefits were not</p> <p>5 better. There were some serious back -- you know,</p> <p>6 I don't remember exact details, but some of them</p> <p>7 are not as good as Avaya with Camber. However,</p> <p>8 they did live up to, as far as I understood, they</p> <p>9 did live up to Avaya's promises. So it was -- it</p> <p>10 was part of the deal that we would be allowed to</p> <p>11 take vacation from future vacation. So that part</p> <p>12 was strictly not unpaid. It became unpaid leave</p> <p>13 only when FMLA started, which I think was around</p> <p>14 October 1st, something like that.</p> <p>15 Q And when you told Atif you needed to stay</p> <p>16 in California longer because of your son's</p> <p>17 hospitalization --</p> <p>18 A Uh-huh.</p> <p>19 Q -- and you were going to use future leave</p> <p>20 to cover it, he approved the request.</p> <p>21 A Now, again, I had take -- I had gone to</p> <p>22 California, if I remember correctly, on real leave,</p>
66	<p>1 A Oh, he was very supportive, like I said,</p> <p>2 you know. He was always really a -- a very shocked</p> <p>3 -- you know, you know, all the best to you or</p> <p>4 something. I don't know exactly, but he was very</p> <p>5 supportive definitely.</p> <p>6 Q And then when your son was hospitalized</p> <p>7 and you had no leave time available, it was Atif</p> <p>8 who allowed you to use future leave time to --</p> <p>9 A Yeah, that was a policy, because we were</p> <p>10 told when we gave up the -- my understanding again,</p> <p>11 Camber, we were told -- no, no, Avaya policy,</p> <p>12 Avaya's policy, what Avaya said that at the</p> <p>13 government shutdown, when it happened in October,</p> <p>14 that we can either give up our vacation or we can</p> <p>15 take unpaid leave. So the question came up, you</p> <p>16 know, so we have no vacation after it all.</p> <p>17 They said you know, if you have more</p> <p>18 vacation than the two weeks, you do have that, but</p> <p>19 even if you exhaust all your vacation, you'll be</p> <p>20 allowed to borrow vacation from future leave, you</p> <p>21 know. That was the offer from Avaya, you know. So</p> <p>22 -- so Camber -- because Camber said in their</p>	68	<p>1 because I was already en route. Remember, I was en</p> <p>2 route when I heard this. Once I reached there, I</p> <p>3 realized I needed more time, you know. That is</p> <p>4 when the discussion came up, and I asked, if I</p> <p>5 understand correctly, if I remember correctly, I</p> <p>6 asked I would need to have to take future leave</p> <p>7 because I don't have any vacation left, you know.</p> <p>8 So I don't remember the exact</p> <p>9 conversation, but he kind of -- you know, he kind</p> <p>10 of agreed in the sense that I -- I kind of reminded</p> <p>11 him that that was the deal we had from Avaya back</p> <p>12 in previous October 1st when the government</p> <p>13 shutdown happened, and we had a choice, you know,</p> <p>14 each employee had a choice, either take unpaid</p> <p>15 leave or take a vacation with a promise of future</p> <p>16 leave if necessary.</p> <p>17 Q So Atif agreed you could use your future</p> <p>18 leave.</p> <p>19 A Yeah, I'm pretty sure he did. I don't</p> <p>20 remember him disagreeing or I don't -- because if</p> <p>21 he had disagreed, I realize, oh, this is a promise</p> <p>22 not kept up. So I did not get the feeling that a</p>

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53	<p>1 the EOIR project to make some type of transfer</p> <p>2 happen.</p> <p>3 A I'm just exploring possibilities, you</p> <p>4 know? I'm just saying that maybe they'll make an</p> <p>5 exception in my case, let me work remotely, because</p> <p>6 for example, I worked in previous projects, and</p> <p>7 they were letting me work remotely, when I worked</p> <p>8 with Federal Reserve board, when I worked at</p> <p>9 Treasury, they have allowed me to work remotely,</p> <p>10 telecommute.</p> <p>11 So I thought maybe because of the</p> <p>12 situation, maybe they would say okay, we'll let you</p> <p>13 work remotely, you know, because my work could have</p> <p>14 been done remotely, you know? Even now I work</p> <p>15 remotely from home much of the time, whenever I</p> <p>16 want to. I don't need to, because it's purely</p> <p>17 computer work. I can do it anywhere really.</p> <p>18 So I'm just saying that I want to explore</p> <p>19 possibilities of transfer within Camber, yes, but</p> <p>20 that's only because I felt EOIR may not agree, but</p> <p>21 if they could have made an exception in my case, I</p> <p>22 was willing to continue. I'm not saying that I</p>	55	<p>1 Q Sir, the DOJ project where you worked</p> <p>2 remotely -- was that through Camber?</p> <p>3 A No, no, no, that was much earlier,</p> <p>4 different -- different division of DOJ.</p> <p>5 Q Yeah, that was not with EOIR.</p> <p>6 A Not at all, yeah.</p> <p>7 Q The Treasury project was not with Camber;</p> <p>8 is that correct?</p> <p>9 A Yes, yeah, yeah, Camber -- I was an</p> <p>10 involuntary inductee into Camber, right, because</p> <p>11 Camber acquired all the employees of Avaya, so. I</p> <p>12 joined Avaya, and so this was even before I joined</p> <p>13 Avaya that I was at Treasury and Federal Reserve</p> <p>14 Board, yeah.</p> <p>15 Q You weren't doing EOIR work remotely.</p> <p>16 A No, no, obviously not, yeah.</p> <p>17 Q And you understood that unless some type</p> <p>18 of special exception was made --</p> <p>19 A Uh-huh.</p> <p>20 Q -- getting nearer to your family meant</p> <p>21 leaving the EOIR project.</p> <p>22 A I did not want to make any assumptions</p>
54	<p>1 want to quit EOIR, you know.</p> <p>2 Q So just so the record's clear, sir, the</p> <p>3 earlier projects you were referring to where you</p> <p>4 were allowed to do telework --</p> <p>5 A Uh-huh.</p> <p>6 Q -- that was not for EOIR --</p> <p>7 A Yes.</p> <p>8 Q -- and it was not Camber.</p> <p>9 A It -- okay, it was -- there was a project</p> <p>10 for DOJ, a different part of DOJ, the Justice</p> <p>11 Management Division, JMD, which I was allowed to</p> <p>12 work remotely. Treasury, I was allowed to work</p> <p>13 remotely, and the Federal Reserve Board, I was</p> <p>14 allowed to remote -- work remotely, okay? Only</p> <p>15 EOIR would not.</p> <p>16 I don't know the background for that, but</p> <p>17 -- so the point was there was a possibility of an</p> <p>18 exception there because other government agencies</p> <p>19 were allowing, and even within the EOIR, I think</p> <p>20 the government people were doing it. So I think it</p> <p>21 might have just been an Avaya or Camber policy</p> <p>22 perhaps. I'm not sure.</p>	56	<p>1 because I found that, you know, anything's possible</p> <p>2 in this case, like exceptions can be made. EOIR</p> <p>3 might have some work there because you know, after</p> <p>4 all, California has a huge immigration problem,</p> <p>5 right? So I'm not -- EOIR had some activities in</p> <p>6 California, okay? So it could not be ruled out</p> <p>7 that I could work at a EOIR office in California,</p> <p>8 because immigration issues were very strong in</p> <p>9 California basically. So I was not ruling out</p> <p>10 anything there, you know? I was only just saying I</p> <p>11 just wanted to explore possibilities, you know?</p> <p>12 Q And then in the next paragraph, you talk</p> <p>13 about your move into cyber security in the mid-</p> <p>14 2000s; is that correct?</p> <p>15 A Yes, yes, that's what I was referring to</p> <p>16 earlier, when 9/11 happened, I felt I should do my</p> <p>17 duty, you know, whatever my skills are to</p> <p>18 contribute to the country, yeah.</p> <p>19 Q Why -- why was your cyber security</p> <p>20 experience relevant to exploring transfer</p> <p>21 possibilities?</p> <p>22 A Okay, the reason for that is when the CEO</p>